



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 2, 1996

Mr. David M. Douglas
Assistant Chief
Legal Services
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR96-0480

Dear Mr. Douglas:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 34103.

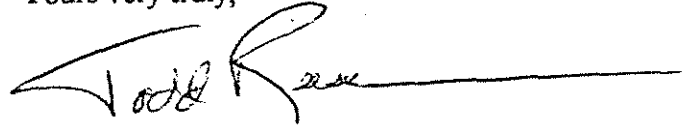
The Texas Department of public Safety ("DPS") received a request for the criminal history record information on a deceased individual. You contend that the requested information is excepted from required public disclosure under section 552.101 of the Government Code.

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." You assert that sections 411.083 and 411.085 of the Government Code prohibit dissemination of criminal history record information. Section 411.083 provides that "[c]riminal history record information maintained by the [DPS] is confidential information for the use of the [DPS] and, except as provided by this subchapter, may not be disseminated by the [DPS]." We understand that the provisions for dissemination of criminal history record information do not apply to this request for information. Accordingly, except for the type of information listed in section 411.081(a), you must withhold the requested information under section 552.101 of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese", followed by a long horizontal line.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/LBC/ch

Ref: ID# 34103

Enclosures: Submitted documents

cc: Mr. Jason E. Roselius
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Oklahoma City, Oklahoma 73102
(w/o enclosures)